No. 17,261.

WASHINGTON, D. C., SATURDAY, DECEMBER 28, 1907.—TWENTY-EIGHT PAGES.

TWO CENTS.

Weather.

Rain and colder tonight. Tomorrow partly cloudy and much colder.

TRIAL OF SIX MONTHS

Surgeon in Command of a Naval Vessel.

GETTING THE SHIP READY

Merchant Crew.

Declares That He Has Acted With Courage and Upholds His

Action.

Secretary Metcalf to detail him to that duty. With that end in view an effort will be made to obtain a merchant crew and master for the vessel. No doubt whatever is felt as to the success of such effort. In that event the objection to having a surgeon in command of naval men not attached to the medical corps will be obviated.

Neither would state the nature of the matter that required the President's attention, nor would they say what luck the President had on his hunt yesterday. A telephone message from Glendower states that the President was seen out driving this morning with Mrs. Roosevelt.

statement that in the unexpected event that it is found impossible to man the Relief with a merchant crew , the enlisted force of the navy will be drawn on to fill the complement, and a line officer will be put in command of the hospital ship, leaving Surgeon Stokes simply in charge of the hospital on the ship and the hospital force proper.

Will Be an Experiment.

Though the ship is practically ready for service, there are a number of things to be done to put her in the best of shape, which will take probably until the 1st of February. The scheme of flaving a medical officer command the Relief, with a merchant master ann a merchant crew, Secretary Metoalf says, is to have a trial for at least six months, and if the experiment proves satisfactory then the

plan of having surgeons in absolute command of hospital ships will be a permanent feature of naval administration.

Admiral Brownson's relinquishment of his position as chief of the bureau of navigation, carrying with it as it did the ex-officio connection with the joint army and navy board always maintained by the head of that bureau, will result in a considerable loss of pay to the officer. Being entirely without duty and relegated ing entirely without duty and relegated to the retired list, his income will be diminished in the first place by the loss of 25 per cent of the full pay of an admiral on the active list, namely \$7,500 a year. Also he will no longer receive the allowance to an active officer of his grade of \$1,500 a year for quarters and \$500 for heat and light. It so happens, however, that Admiral Brownson is a man of independent means and able to man of independent means and able to disregard financial considerations in taking his stand as the champion of the line in the present battle with the staff. As a retired officer he will receive \$5,625 a

A Precedent Found.

Staff officers of the navy have discovprecedent for placing one of their kind command of a ship. It is true that this precedent was found in the period of the civil war and long before the passage of the naval personnel act upon which the line officers rely to supment to command is illegal. The civil war records show that Ninian Pinkey, a naval surgeon, was in absolute command for a considerable time of the Mississippi steamboa Red Rover, while that vessel as employed as a hospital craft during days of the war.

Chairman Hale's View. ater Hale, chairman of the Senate

littee on naval affairs, says regarding the resignation of Admiral Brownson: "I think that Admiral Brownson has ted with praiseworthy courage and omptness in tendeging his resignation. are always sustained the staff officers their fight for positive rank and comrecognition, such as are received to peers in the army, and I now pending which gives them such recognition throughout the service. But in that measure there is a precautionary provision against giving them actual command of any naval vessel. "This is the continuation and an exten-sion of the fight between the two branches of the service. That fight is the crux of the present controversy, and because i think he is right my support is given un-reservedly to the admiral as against the contentions of Surgeon General Rixey. It may be that on some occasions staff offihave been in command of vessels. officers have been given command after the point was raised and both sides were heard. I do not believe that the contention for command by staff officers has been pressed seriously at any time in the past. Indeed, I am of the opinion that the old staff officers would never have asked for such recognition."

In Interests of Discipline. When asked for his reasons for the posi-

tion taken, Senator Hale replied: "They are entirely in the interests of discipline. Think what might happen if the command of the vessels should be turned over to a chaplain or even to a paymaster, and it is just as reasonable to put the crews of naval vessels under the the crews of haval vessels under the charge of those officers as it is to place them under the command of a surgeon.

Evidently Admiral Brownson recognizes that of a woman who called at her office early in December and gave her name as Annie Nevins. The applicant gave no address, but said she had been employed and decision, he did not hesitate to re-sign his position when, as the active head of the bureau of navigation, his view of the law and of the best policy in the interest of the service was overruled. He will not lose anything by his manly course, either in the navy or with the public."

JUDGE WILFLEY COMING.

To Answer Alleged Charges of Improper Conduct at Shanghai.

SAN FRANCISCO, December 28 .- Judg-L R Wilfley of the United States circuit court at Shanghai, against whom charges of improper conduct of his court hav been preferred at Washington, arrived in San Francisco yesterday on the Pacific Mail liner Manchuria. After a stay of two days in this city he will proceed to yet visited the morgue, but a detective the National capital.

two days in this city in the National capital.

On board the Manchuria with Judge description of the dead woman was told that it answered very closely the appearance of the fomer telephone operations. court in the far east, together with his clerk, L. R. Hockley, with conspiracy to injure the practice of Brooks in Shanghal.

Judge Wilfley denied that he was going

FOR WILD TURKEY.

CHARLOTTESVILLE, Va., December 28.-For the first time since he spent a fortnight in the canebrakes of northern Louisiana in October President Roosevelt shouldered a gun yesterday afternoon and went in quest of-not bear-but the elusive wild turkey. With "Uncle Dick" Efforts to Obtain Sailing Master and McDaniel, the faithful colored servant at Plain Dealing, as guide, a start from Pine Knot was made at 2 o'clock directly after lunch was served. The President was mounted on one of the best MR. HALE PRAISES BROWNSON stallions owned by Wilmer. The scene of the hunt'was nearly five miles southeast of Pine Knot on a mountain spur across Hardware river.

Just what success the President met with could not be learned, as he had not been seen to pass Glendower up to 6 o'clock. That hour the telephone exchange

The orders assigning Surgeon Charles F.
Stokes to the command of the hospital ship Relief are expected to be issued very soon, it having been definitely decided by a telegram from the White House, re-

Astonished the Driver. as there had been a slight drop in temperas there had been a slight drop in temperature.

Mrs. Roosevelt and her. sister, Miss Carew, accompanied by Dr. Rixey and Mr. Joseph Wilmer, went for a bracing drive yesterday afternoon on the splen-did macadam road leading to Green moun-

THE JERSEY MYSTERY

DEATH OF UNKNOWN WOMAN IS STILL UNSOLVED.

Special Dispatch to The Star.

"Lamp Black Swamp" mystery, involving which originated in the cellar, was disthe death of the woman whose nude body covered by Philip O'Brien, a fire patrolwas found in a pond near Harrison, seemed no nearer solution today than it was where a small blaze occurred several on Thursday, when the body was taken nights ago. from the water. Not only are the police completely in the dark as to the identity and when the firemen arrived they made affairs, drove to the American embassy of the woman and the person or persons short work of the blaze, and then made from the station and discussed the Ameriwho killed her, but they do not even know an examination. It appeared that somethe cause of the victim's death. Three small boys looking around the scene of the crime came upon a brooch pin near the cellar, underneath the stairway, an where one-half of the woman's jacket interesting discovery was made. There was found. The pin was a mother-ofpearl affair about an inch and a half long, and three-quarters of ansinch wide. ers of cloth were burning, but the fire On it was the letter "S" formed with a had not reached the firkin, in which case small gold wire. The brooch was turned it would have traveled up the stairway. over to the police.

The body was positively identified today by another man, who said he had seen the woman in Newark on Christmas eve. His description of the woman before he viewed the body tallied exactly with that the police have made up. The new identi-fier said he was Thomas Flannigan, an elevator man in Bamberger's dry goods store, on Broad street, Newark. The woman, he said, entered his car about 8 o'clock on Tuesday evening. She rode up a while, as she had an appointment to meet a man there. He agreed and she rode up and down until 9:30 o'clock. Then she said she had given up all hope of her store. While she w seemed very nervous.

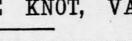
Flannigan says that he quit work at 11:15 o'clock and went to a Chinese restaurant on Mulberry street near Market. He saw the woman there, and asked her if she had found, her friend. She replied that she had not, and asked to be directed to a German restaurant. Flannigan ment'oned two, and the woman left, saying that she would go to one of them, and that she might meet there the man she expected to see.

Mrs. Margaret Wright, who has an employment office at Montclair, N. J., said of the fire marshal, will uncover the culshe is certain the body in the morgue is prits this time, but the Black Hand is as Annie Nevins. The applicant gave no address, but said she had been employed as a housekeeper 'n Brooklyn, and want-ed a similar position in Newark or Mont-

is not accepted as positive by the po-lice, however. The hands of the dead woman had been carefully cared for and showed no traces of rough work of any

It is believed that an anonymous let-It is believed that an anonymous let-ter which reached New York police headquarters today may be of material aid in establishing the woman's identity. The writer of the letter said he was certain the murder victim was a Miss Smith, who at one time was employed as telephone operator at the Hotel Girard, in West 44th street, New York to have had trouble with a man in New-ark. No one who knew Miss Smith has

NEW LISKARD, Ont., December 28 .-



AT PINE KNOT, VA

PRESIDENT ENJOYS FIRST HUNT

closed at that point.

at once to the telegraph office with a message to the White House from the

In his ride over to Pine Knot from North Garden Thursday afternoon the President astonished the driver by alighting when only half of the journey had been completed and "footing it" the remaining distance—five miles. Accompanying the President was Kermit. That the pedestrians made good time was shown by the fact that the trap containing Mrs. Roosevelt and sister, on the return jour-ney, passed the President at the rectory, less than a mile from the hunting lodge. Yesterday morning the President amused himself by watching the beagles from the White House kennels chase rabbits in the hedge fields near Pine Knot. Dr. Rixey and Kermit had their guns with them and bagged several hares. The clouds of the morning disappeared and ature, the indications were that the President would have another good day today to spend in the open.

Mrs. Roosevelt and her sister, Miss

Officials Have Hopes.

About the only hope the officials engaged on the case have thus far received in their attempts to establish the identity of the murder victim came today, when the manager of an employment bureau that and industrious. The letters said she recognized the body as that of found the barber once more and the fire a woman who had sought work several showed the barber once more that when

word received from her.

The identification made by Mrs. Wright

The writer said she was known

Pedestrians' Pedals Froze.

BLACK HAND DEVILTRY JAPANESE LABOR PROBLEM

FIRE AN EXAMPLE OF PER-SISTENCE TO REACH PREY.

NEW YORK, December 28-In a fire the police believe they see an example of the persistence with which the Black Hand sticks to the trail once it has picked NEWARK, N. J., December 28. The &out a victim to be plucked. The fire, the Japanese government's program and man, stationed at 3 Rivington street,

> He lost no time in turning in an alarm, body had pried off the cover of the coal chute and slipped down into the cellar through the opening. In the middle of lay a butter firkin containing two gallons of oil, and from it "trails" of oil-soaked oilcloth led to the woodshed. The stream-

> Fire Marshal John T. Priall and De tective Guido questioned all the tenants and obtained some additional information. On the third floor lives Salvatore Scanto, lessee of the house. Formerly he had a barber shop in 1st avenue near 3d street and was prospering in his trade when he began to receive letters, as so many bar-bers have received before, threatening all sorts of perils unless he paid over

Insistent Letters Sent Victim.

Salvatore has read many accounts in Bullets Used, by Army Found to and down with him once and then asked him if she might remain on the car for the newspapers of other barbers who, threatened in similar fashion, had places of business blown up because they did not accede to the blackmailers' demands, but friend's arrival and left to go into the store. While she was on the car she more insistent. Still no money. Then the inner circle of the New York dynamiters held a meeting at which it was resolved that it was time for the usual visiting card of the order to be left at the barber's door. The chief house destroyer dropped the bomb and the entire front did not contain any antimony. At one of of the barber's establishment was scattered to the four winds. That was about report was presented showing the results Mich. Five trainmen met death, four beautiful for the committee recently a freight train one-half mile north of Lenox, Mich. Five trainmen met death, four beautiful for the committee recently a freight train one-half mile north of Lenox, which is the committee recently a freight train one-half mile north of Lenox. two years ago.

The barber said nothing, but setting

his lip hard, got to wook again. He sold his place and started in as a journeyman barber on West Broadway. There he thought he would be safe, and for a time he was. He began to make money again, and at No. 5 Rivington street lived in the Black Hand says a thing it means it. Perhaps the police, with the assistance of the fire marshal, will uncover the cul-

HUGHES BUSY WITH MESSAGE. New York Legislature to Meet Next Schedule for 1908 to Be Passed Upon Wednesday, January 1.

Special Dispatch to The Star. ALBANY, N. Y., December 28 .- The legislature will convene at 11 o'clock next | yard for the calendar year 1908, as pre-Wednesday. Then Gov. Hughes' second pared by the regular wage board at that annual message to the legislature will be | yard, is now before the Navy Department read. The governor remained at the ex- for consideration and action. ecutive mansion today working on the message. He expects to complete it by Monday afternoon, when it will go to the state printer. No governor in years has given so much thought to a message as a presidential possibility. The governor have was much perturbed because the New The York republican county committee failed to indorse him, and this but spurred the governor on to writing an annual mes-sage which will read a lesson to the present would-be political leaders of the republican state machine which will make

Another Bloody Feud.

them sit up and take notice.

BELIEVED A SATISFACTORY SO-LUTION HAS BEEN REACHED.

HOLIDAY ANXIETY.

Conferences eBtween Ambassador fice in Tokio.

TOKIO, December 28 .- A discussion of method of limitation of emigration has begun between the foreign office and American Ambassador O'Brien.

Immediately after the departure of Canadian Minister of Labor Lemieux, Baron Chinda, vice minister of foreign can proposals and suggestions offered by Ambassador O'Brien for the help of the Japanese government. It is understood that the discussion was eminently satisfactory and that a memorandum in the form of a reply will soon be forthcom-

It is quite evident now that the Japanese government recognizes that the mis-takes of administration on the part of a minor official in the past created the present difficult situation, and is determined that the future restriction of emigration will make complaints from the American government and people impos-sible. The difficulty of dealing with the ossibility of emigrants going over the borders of Canada and Mexico is now occupying much attention because it is recognized that while the possibility continues it will not be possible to prevent a recurrence of complaints.

DID CONTAIN ANTIMONY.

Have Small Percentage.

At the direction of Brig. Gen. Crozier, chief of the ordnance bureau of the army, several bullets used in army rifles have been analyzed, and the discovery made that they contained a small percentage of antimony.

Several weeks ago Gen. Crozier testified before the Senate committee on military affairs, which is investigating the shootof a chemical analysis of two of the bullets, which were dug out of houses in Brownsville after the raid.

The results showed that the two bul-lets contained a small percentage of antimony, which was taken as an indica-tion that they were not army bullets. That fact tended to show that the colored soldiers were not responsible for the shooting Shortly after that report was presented

to the committee, Gen. Crozier had a series of chemical analyses made, as a result of which it was shown that army bullets did contain a small percentage of antimony, which was used without the knowledge of Gen. Crozier and the army ordnance experts.

MACHINISTS' WAGES.

by Assistant Secretary.

The schedule of wages of machinists and employes at the Washington navy It was stated at the department today

that the matter of labor employment at that the target was set against it. the naval stations is under the supervision of the Assistant Secretary of the Navy Mr. Newberry, and that gentleman is now Gov. Hughes has to his forthcoming one.
Gov. Hughes' friends expect this message will add much to his availability as a presidential possibility. The governor navy yard during the course of that day. The new scale of wages takes effect Jan-uary 1 and must be adopted by the Navy Department before that date. It is rumored that the new schedule will show after action is had by the Navy

DARR MINE SEARCHERS

THEIR WORK IS NOW PRACTI-CALLY COMPLETED.

JACOBS CREEK, Pa., December 28 .-Explorations in the Darr mine of the disappearance of these securities that O'Brien and the Foreign Of- \ Pittsburg Coal Company were completed led to the indictment and arrest of J. today, with the exception of the numerous Dalzell Brown and Attorney Walter Bartfalls of slate. A total of 220 bodies have nett, officers of the bank and custodians been recovered from the main headings of the securities. and entries. The number of bodies that will be found under the falls, while still problematical, is estimated at at least peared. Following the failure of the

> Attention is being given today to the removal of the carcasses of the dead horses and mules. Coroner Wynn has fixed January 9 as the date of the inquest, which will be held at Smithton, Pa., two miles below this place. It is hoped to have the work practically completed early tomorrow.

Prodigal Son Buried.

Henry E. Adams of Pittsburg, brother of Clark Adams, who, it is said, after a rather wild career went to work in the mine to earn money to take him to wealthy parents in the east, came here today, accompanied by John Frick of Shamokin, who married their sister. Adams had not seen his prodigal brother for years, and, after viewing the blackened corpse, said he could not have identifled it. The body was not in condition to ship, and was buried here.

It was learned today that the disas ter completely wiped out St. Mary's Beneficial Lodge, which had over 100 members Not a member being left to administer the affairs of the lodge, Rev. Father Kalmon Kovatz of McKeesport and the Austro-Hungarian consul at Pittsburg have taken charge.

TRAINS CRASH IN DENSE FOG. Five Trainmen Killed in Collision

Near Lenox, Mich.

DETROIT, Mich., December 28.-Speeding through a dense fog at forty miles an hour, Grand Trunk passenger train No. 5, which left Port Huron shortly befor 7 o'clock last night for this city, collided head-on with a double-header Mich. Five trainmen met death, four being killed instantly, the fifth dying three hours later. All of the passengers es-

The dead are: Engineer Bennett of the passenger, Engineer Bohowski of the first freight engine. Fireman Boughner, Fireman Albert McCall and Switchman W. G.

The passenger locomotive plowed under the engines of the double-header and the trainmen were buried in the wreckage. Their bodies were terribly mangled and

scalded by the escaping steam. Engineer Fred Haug and Fireman Washburn of the second freight engine escaped death. Haug was caught in his cab but was taken out unhurt. Wash-burn jumped and was only slightly injured

All the dead trainmen lived in Detroit. The freight train had switched from the main track to a siding to allow the pas-senger to pass. It is unofficially charged that the switch was not properly closed. and on account of the heavy fog which prevailed the passenger could not see

A NOTABLE DECISION.

NEW YORK. December 28 .- A decision which will prove of considerable interest to lawyers and theatrical people has been filed by Justice Hough in the United States district court in the matter of the an increase in the pay of some of the employes, but definite information on that point cannot be ascertained officially player is not an asset that can be tauched. player is not an asset that can be touched by creditors or a receiver in bankruptcy.

The receiver took over the scenery and Judge Willey defied that he was going to Washington to meet the charges pending against him.

"I'm going to Washington," he said, "to aid in drawing up an act that will extend to Americans in China a more complete body of laws than they now have. The laws now in force compose to allttle more than was embodied in the common law, and are so indefinite as to he almost useless."

NEW LISKAR, Out. December 28.—A bloody in the moving-pictory of Calderhead Better. About eighty Englishmen who came to Carderhead Better. About eighty Englishmen who came to BRISTOL, Va. December 28.—A bloody feud has broken out in the moving-pictory in the card as about 480 miles. There of them had been appearing, in the common law, and are so indefinite as to he almost useless."

Mr. Regers said that the moving-pictory in the card and several persons in a lagregate throw which she is to appear in the count of Kansas, from a point 100 miles north of McDought and demanded as short time ago started to walk from a point 100 miles north of McDought and demanded of Kansas, from a point 100 miles north of McDought and demanded as short time ago started to walk from a point 100 miles north of McDought and demanded as short time ago started to walk from a point 100 miles north of McDought and demanded as short time ago started to walk from a point 100 miles north of McDought and demanded as short time ago started to walk from a point 100 miles north of McDought and the moving-pictory in the which Mrs. Calderhead of Kansas, from a point 100 miles north of McDought and the moving pictory in the which Mrs. Calderhead of Kansas, from a point 100 miles north of McDought and the moving pictory in the which Mrs. Calderhead of Kansas, from a point 100 miles north of McDought and the moving pictory in the which Mrs. Calderhead of Kansas, and demanded as a sensition of the court of the moving pictory.

In the light price of "Zaza" and "Du Barry," in Mrs. Regers said that the moving pictory in the which Mrs. Carlath and the moving pictory.

In the pictory o

SACRIFICED LAST CRUST TO SAVE HER CHILDREN.

Most Pitiful After-Christmas Story in All of Greater New York. Babies Are Happy.

NEW YORK, December 28.-Happy that her children, for whom she had sacrificed everything, even the last scraps of food, had at last found friends, Mrs. Phyllis Prisco died at a Brooklyn hospital of

Mrs. Prisco's husband has been dead some months, and with four little ones. the eldest four years, the youngest four months old, to care for she labored day and night until she was taken ill. Her pride prevented her from asking for aid, so she saved what bits of food she could obtain for her little ones while she gradually grew weaker and weaker from the lack of food. The last bits of crusts went for the children's Christmas dinner, and Before the sessions of court in the Caleb nished room in which the mother and from the lack of food and from the cold.

Children Cared For.

The police removed the mother to a hospital and the Children's Society took care of the little ones. When the physicians found that all hope for the mother was gone the little ones were sent for and Mrs. Prisco was assured that they would be cared for.

They were happy again, for they had had plenty of food and toys. Rosle and Katherine cooed over pretty dolls. Sam's eyes glistened at a furry horse and Baby Angeline clutched in her chubby hands a woolly lamb. Their troubles were forgotten in their new-found happiness, and as they played with their treasures on the floor beside the hospital cot the tired woman realized that their sufferings were over. And as she watched them playing there the mother smile faded out of her eyes—the mother's heart was stilled and the mother's sacrifice was complete.

COLTON FUNDS FOUND

SECURITIES IN A VAULT IN SAN FRANCISCO.

SAN FRANCISCO. December 28.-Stocks and bonds, which are part of the missing Colton estate securities, were found Thursday in the California Safe Deposit and Trust Company vaults, it developed yesterday. It was the supposed

The estate being in dispute, it was al-

leged that various chattels had disap-

bank, Brown and Bartnett were arrested and indicted, and it was alleged at times that the securities had been sold in various cities around the world. Thursday Custodian Cushion sent for Barclay Henley, an attorney, who repre-

sents the contestants of the will of Mrs. Colton, and Assistant District Attorney Cook, and informed them that the missing stocks had been found. The announcement that missing securities of the Colton estate had been found caused a stir in the district attorney's office where, after investigation, it was

said that only a few stock certificates

had been unearthed. They were mostly

mining stocks whose value is problemati-

it is said that the finding of the stocks will have no effect on the prosecution of Brown and Bartnett, as they have not been accused of the embezzlement of the stocks unearthed yesterday. The missing valued at \$205,000, have not yet been found.

Attorney R. Golden Donaldson, local counsel for Helen Beatrice Margaret Sacher, the great-granddaughter of Mrs. Ellen M. Colton, stated today that he places no credence in the report from San Francisco that the bonds belonging to the Colton estate have been found there. expressed the opinion that the securities now in San Francisco will be found to comprise only the non-negotiable certificates of stock valued at about \$200,000. extent of \$250,000, he said, he has good reason to believe were transferred about two months ago to New York city.
As soon as this information reached

him he proceeded to New York and there instituted on behalf of little Miss Sacher injunction proceedings against the Interporough National Bank and the Atlantic Safe Deposit Company, Walter J. Bart-nett, David F. Walker and J. Dalzell noon. The second series, ending at 1 hibiting any transaction by them in connection with the bonds of the Colton at 2 a.m., for mountain time, an estate. Later the suit was discontinued fourth, at 3 a.m., for Pacific time.

posed to contain the missing bonds. Mr. Guam and 1 p.m. at Manila. Similarly, Donaldson will go to New York today it is already January 1 east of the United to be present at the opening of the box next Friday.

SUNDAY SHOWS IN GOTHAM. Injunction Against Police Interfering With Moving Pictures.

Special Dispatch to The Star. NEW YORK, December 28 .- Justice Greenbaum in the supreme court today hours, and Pacific, three hours. issued an omnibus ex parte injunction in the nature of a bill of peace restraining the police from in any way interfering with some sixty-one moving-picture

The injunction was issued at the instance of Gustavus A. Rogers, Thomas Gillman, McDonald & Bestwick, counse or the moving picture association, which s composed of 110 members. It restrains until the further order of the court the police generally and severally from nterering by arrest or in any other way wit the moving-picture shows Sunday or any other day, irrespective of whether an dmission is charged or not. It also restrains the police from interfering with sacred or educational lectures, whether illustrated or not.

The court also issued an omnibus order, returnable Tuesday, instructing the po lice department to show good cause why the injunction should not be continued.

STARVING MOTHER DIES TESTIMONY IS NOW IN

Both Sides Finish at the Caleb Powers Trial.

WITNESSES HEARD TODAY

Offer to Submit Case Without Argument Refused.

TIME FIXED FOR ATTORNEYS

Witness Called to Discredit Poer's Testimony Indicating That James Howard Did Not Kill Goebel.

LEXINGTON, Ky., December 28 .-

the next morning neighbors heard the Powers case today all oral\ testicrying of hte little ones in the unfur- mony of both sides will have been completed, and there will remain only the children lived. They entered and found instructions to the jury, the arguments Mrs. Prisco dying and the children weak by the attorneys and the deliberations of the jury. The defense will make an effort to have the beginning of the arguments postponed until Monday morning, but Judge Morris has given an indication of his unwillingness to grant such a long delay in the proceedings. Nine hours has been allotted to each side. The defense will have four speeches, one each from Attorneys S. M. Wilson, William Smith, W. C. Owens and Judge Sims, with the probability that Maj. Owens will make the closing argument on its side. The prosecution will have three speeches, the first being made by Attorney Vic-tor F. Bradley, the next by Judge Ben Williams and the last and closing argu-ment by Commonwealth's Attorney Robert B. Franklin.

It is believed that Attorney Franklin will begin speaking next Wednesday morning, but in the event Judge Morris grants the request of the defense and allows the postponement until Monday morning, it will be Wednesday evening before Attorney Franklin will get before before Attorney Franklin will get before the jury. The defense asked for twelve hours on each side. The commonwealth insisted that six hours for each side would be an abundance of time. Judge Morris struck a compromise and granted

Closing of the State.

In closing the case the commonwealth was compelled to abandon its purpose to use a number of rebuttal witnesses, which included John Sheets, the former statehouse carpenter at Frankfort, and J. B. Matthews, formerly with Caleb Powers in the secretary's office at the state capitol. Several of the rebuttal witnesses failed to appear in time, and ceeding, the commonwealth had to close

without them Believing the innocence of Powers has been proved, Judge Sims, chief counsel for the defense, submitted a proposition to the commonwealth for Judge Morris to instruct the jury and submit the case without argument on either side. The

without argument on either side. The proposition was made to Judge Williams, who later communicated it to State's Attorney Franklin, but Franklin refused to consider the proposition.

R. J. Sidwell was called by the commonwealth to discredit F. M. Poers' testimony, which tended to show that Poers was with Howard when Goebel was shot, and that Howard could not have fired and that Howard could not have fired the shot. Sidwell said: "I live at Win-chester, and I know F. M. Poers. On the Saturday morning before James Howards' first trial I met Poers at the Cunningham farm, in Clark county. He told me that he had been summoned as a witness for the defense. He told me he did not know much, and all he could say was that a man named Jim Howard had come into the Board of Trade Hotel at Frankfort

about fifteen minutes after the Goebel shooting, and asked if there was a cellar in which he could get. "I told him he would make a poor wit-ness for the defense. He replied that it would all depend on how the jury looked at it. He said he did not know Jim Howard, but that this man had been said to be Jim Howard.

NEW YEAR TIME.

Telegraphic Signals Sent Out by the Naval Observatory. Four series of signals will be sent out, as usual, at intervals of exactly one

hour, to mark the instant of the begin-The bonds and negotiable securities to the ning of the new year in each of the four great standard time belts into which the United States is divided, namely, eastern, central, mountain and Pacific. The first series will begin at 11:65 p.m. December 31, eastern time, and end exactly at midnight, the system followed

being the same as that in use daily at Brown. The New York court granted an a.m. January 1, eastern time, is the mid-injunction against the defendants pro-history any transaction by them in conat 2 a.m., for mountain time, and the caped injury except a baby, who was only slightly hurt by being thrown out of its Charles A. Douglas and Brainard W. Charles A. Douglas and Brainard W. Philadelphia and New York it is thus the local collectors of the Collins of the Collectors of the Collins of the Collectors at Denver and 9 p.m. ton estate, who also began legal proceedings in New York to locate the securities at Honolulu, and 5:30 p.m. at Honolulu, and 5:3

> States, 1 a.m. at San Juan, about 1:20 a.m. on board of the battleships, assuming that they are then about 600 miles (ast-southeast from Trinidad; and about 2 a.m. with the torpedo flotilla, down near the equator, beyond Para. The order in which most Americans welcome the new year is shown by the following table, the hours stated being eastern time. To reduce to central time, take one hour earlier; mountain, two

graphic time signals sent out during the silent night hours by the Naval Observatory on New Year eve gain aditional significance and interest.

With those facts in mind, the tele-

VIRGINIA RATE CASES. Appeal to United States Supreme

Court Granted by Pritchard.

RICHMOND, Va., December 28 .- De-

rees were received here today by the